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Security Council

Sixtieth year

Provisional

5325th meeting

Wednesday, 14 December 2005, 3.30 p.m.

New York

President:	Sir Emyr Jones Parry	(United Kingdom)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Benin	Mr. Idohou
	Brazil	Mr. Sardenberg
	China	Mr. Zhang Yishan
	Denmark	Mr. Faaborg-Andersen
	France	Mr. Duclos
	Greece	Mr. Vassilakis
	Japan	Mr. Kitaoka
	Philippines	Mr. Lacanilao
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
	United Republic of Tanzania	Mr. Manongi
	United States of America	Mr. Bolton

Agenda

The situation concerning Iraq

Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2005/766)

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05-64194 (E)

The meeting was called to order at 3.30 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning Iraq

Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2005/766)

The President: I should like to inform the Council that I have received a letter from the representative of Iraq in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Sumaida'ie (Iraq) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Ibrahim Gambari, Under-Secretary-General for Political Affairs.

It is so decided.

I invite Mr. Gambari to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2005/766, containing the report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004).

At this meeting, the Security Council will hear briefings by Mr. Ibrahim Gambari, Under-Secretary-General for Political Affairs, and Mr. John Bolton, representative of the United States, on behalf of the multinational force.

I now give the floor to Mr. Gambari.

Mr. Gambari: The report before the Council details the work of the United Nations Assistance Mission in Iraq (UNAMI) from September to November 2005. Having accompanied the Secretary-General during his visit to Baghdad on 12 November, I am pleased to be able to brief the Council today on the work of our mission and to share some firsthand impressions of the challenges that the United Nations faces in Iraq as we move into 2006.

The Secretary-General's report comes as tomorrow's election is about to bring to a conclusion the political transition process outlined in resolution 1546 (2004). To have kept that process on track under very difficult conditions is testimony to the commitment of most Iraqis to participate in shaping their country's future through peaceful, democratic means. The growing strength of popular participation in the three polls held this year, which we very much encouraged, is a sign of the new political dynamic developing in Iraq, and it is a positive one.

Tomorrow's vote will provide a measure of the confidence that the Iraqi people are ready to place in their own future at a time when they continue to face formidable security, political and economic challenges. The United Nations once again encourages all Iraqis to exercise their democratic right to vote and appeals to all parties to refrain from violence or any action which could undermine the democratic process.

Of course, the process of political transition is far from complete. As the Secretary-General's report makes clear, the framework laid out in resolution 1546 (2004) was intended to promote national dialogue and reconciliation. In turn, that was intended to have a positive impact on the security situation. In fact, this has not occurred, and much remains to be done to develop a momentum within the political process that places emphasis on what the Iraqis have in common rather than on what divides them.

Iraq's political leaders know that the overwhelming majority of Iraq's citizens wish to live in a stable, peaceful and democratic Iraq. Under the auspices of the League of Arab States, a group of Iraq's political, social and religious leaders came together in Cairo from 19 to 21 November to discuss the need for national reconciliation and the development of confidence-building measures that will lessen tensions, reassert the aspirations which all Iraqi communities

share, and, no less important, agree that violence and negative external forces should have no place in Iraq's political life and future.

Although this was only a preliminary meeting, the conference showed that, given the right encouragement and space, Iraq's representatives could contribute substantively to a political process that draws back from civil strife and puts what Iraqis have in common ahead of ethnic and sectarian identities or differences.

We encouraged the Special Representative of the Secretary-General, Mr. Ashraf Jehangir Qazi, and his team to support the efforts of the League of Arab States and of its Secretary-General, Amre Moussa, in creating a forum in which real differences could be discussed in a meaningful way and a constructive manner. The Secretary-General has expressed the commitment of the United Nations to continue to work with the Arab League, the Government of Iraq and all the participants at the Cairo meeting to ensure that this initiative leads to a sustained process of dialogue and of reconciliation, in accordance with resolution 1546 (2004) and in full respect for Iraq's national sovereignty, political independence and territorial integrity.

After the election, a new political landscape will undoubtedly emerge in Iraq. All political initiatives will have to take account of that fact. We hope that the Council of Representatives will assemble at the earliest opportunity after the results have become clear and that the new Government will be formed as soon as possible thereafter. The United Nations encourages all of Iraq's elected representatives and its political leaders to do their utmost to speed up the formation of the administration, so that the positive momentum created by the election carries through to Iraq's new sovereign Government.

One of the most important tasks facing the new Council of Representatives will be to establish a Constitutional Review Commission and enable it to undertake its work in a credible and effective manner. The result of the constitutional referendum showed that a significant proportion of Iraqis could not support the draft constitution in its current format. The Cairo meeting showed that the basis for national consensus on difficult issues still remains. The United Nations remains confident, however, that consensus can be achieved on those points in the constitution on which agreement has not yet been reached. UNAMI therefore stands ready to continue to provide its assistance to the Council of Representatives and to the Constitutional Review Commission in the discharging of their duties.

Irrespective of the outcome of the election, the need for national dialogue and reconciliation is real, and so is the opportunity for Iraq's political constituencies to reach out to one another with a view to building their future together, through dialogue, mutual understanding and compromise. The United Nations stands ready to contribute to supporting that goal in a direct and practical way. Iraq's greatest asset is the diversity of its people, their skills and their shared history. We will continue to make every effort to help facilitate genuine political progress and promote greater understanding between Iraq's diverse communities. Dialogue and reconciliation will therefore be at the heart of United Nations activities in all areas of our mandate.

An important aspect of our work in that regard relates to the human rights situation, particularly in the light of increasingly disturbing reports in recent weeks. The Secretary-General has repeatedly drawn attention to the plight of human rights in Iraq, condemning terrorist, insurgent and paramilitary attacks against innocent civilians. He has repeatedly called on all sides to strictly observe their obligations under international humanitarian law. The United Nations High Commissioner for Human Rights has also been seized of the matter. The situation requires not only our continued attention but, more important, urgent action, particularly by the Iraqi authorities and by the multinational force.

In that regard, we welcome the commitment of the multinational force to take initial corrective steps, particularly with regard to the issue of detainees. We also urge the Iraqi Government to follow up on its announced actions to address that serious situation. For its part, UNAMI will continue to encourage all concerned to make every effort to ensure that the basic human rights of all Iraqis are respected and that both past and present abuses are addressed based on the rule of law and international obligations. The United Nations expects the full backing of the Security Council in implementing that important aspect of our mandate.

Equally important will be the ability of the new Government to deliver quickly on the real needs and

genuine expectations of the Iraqi people. After three years of dramatic change and decades of deprivation, Iraqis are still looking to their leaders for the tangible improvements necessary to better their everyday lives and to further stabilize their country. It is therefore in the interest of the region — particularly of Iraq's neighbours — and of the international community as a whole to continue to provide long-term support to Iraq. The Council has a special responsibility in that regard to help normalize Iraq's status as a full and respected member of the international community.

Upon his return from Baghdad, the Secretary-General had the opportunity to brief the Security Council on the exceptionally difficult conditions under which UNAMI operates in Iraq. While in resolution 1637 (2005) the Council reaffirmed the leading role of the United Nations in assisting Iraq with further political and economic development, it must be recognized that the capacity of the United Nations in Iraq depends on the commitment and support of States Members of the Organization.

In that regard, I am pleased to report that last week, on 8 December, I signed with Ambassador John Bolton the agreement between the United Nations and the United States, as the overall commander of the multinational force, concerning the establishment of security for UNAMI. That historic and important agreement formalizes the security arrangements that are already in place for the United Nations in Iraq. However, in order for UNAMI to remain effective and to expand its activities beyond Baghdad, it needs the Council's continued support and adequate resources. In that respect, the air assets necessary for moving into and around the country are critical for UNAMI's future deployment.

The United Nations has accompanied Iraq at every step of its transition thus far. The men and women of UNAMI, under the leadership of the Special Representative of the Secretary-General, Mr. Qazi, deserve our full admiration and support for their dedication and for the efforts they are making in the cause of peace. In accordance with its mandate, as circumstances permit and as requested, UNAMI is determined to continue to work for all the people of Iraq, in partnership with the Iraqi Government and with the full backing and support of the international community through the Security Council.

Mr. Bolton (United States of America): As mandated by resolution 1546 (2004), I am pleased to report to the Council, on behalf of the 30 countries making up the multinational force, on the major efforts and progress to fulfil its mandate. During this reporting period, at the request of the Iraqi Government, the Council unanimously extended that mandate until 31 December 2006.

We cannot and should not, given [illegible] violence and instability in Iraq. To do so would show disrespect to Iraqis, foreign and Iraqi, who have lost their lives fighting for a federal, democratic, pluralistic and unified Iraq. At the same time, however, we cannot dismiss Iraq's successful political transition or the strides made in training and equipping Iraq's security forces.

As at the run-up to the October referendum, there has been an increase in insurgent attacks leading up to tomorrow's elections. Insurgent attacks remain concentrated in four of Iraq's 18 provinces: Baghdad, Ninewa, Al Anbar and Salahaddin. Although about 80 per cent of all attacks are directed against the multinational force, about 80 per cent of all casualties are suffered by the Iraqi population. While attacks on Iraq's infrastructure account for a small portion of total attacks, they continue to have a significant impact on the Iraqi Government's oil revenue and provoke public dissatisfaction with essential services. Attacks on infrastructure have increased in this reporting period, but are below the historic highs of 2004.

Multinational force operations are coordinated with local officials, tribes and/or clerics. Those operations have disrupted key insurgent cells, limited insurgents' movement and facilitated progress in reconstruction and democracy-building. The dramatic increase in intelligence tips provided by the population in recent months has been crucial and indicates increasing popular rejection of the insurgents. In March 2005, Iraqi and multinational forces received more than 400 intelligence tips from Iraqi citizens. In August 2005, they received 3,300, and in September 2005 more than 4,700.

Despite persistent security challenges, significant progress has been made in wresting territory from enemy control. Due to multinational-force- and Iraqi-led operations, parts of Iraq previously under terrorist control are now under the control of the Iraqi Government. Furthermore, residents of those areas can participate freely in the political process, which continues to move forward. In rural Iraq, Iraqi and

multinational forces have worked to clear out hard core enemy elements, maintaining a security presence and building local institutions to advance local reconstruction and civil society.

The multinational force continues to work with the Iraqi Government to train and equip the Iraqi security forces (ISF). We have worked together to identify a force structure to meet Iraq's security needs, and we continually reassess force requirements based on current threats. The goal is to complete total force generation — which refers to institutional capacity — by August 2007. Despite repeated brutal attacks against ISF volunteers, recruiting continues to outpace demand, even as the ISF rapidly expands. Nor are those recruits only from the Shia and Kurdish communities, as some erroneously assert. In the past several months, nearly 5,000 recruits have joined from Sunni areas. As one senior military official has said, "Iraqi security forces are fighting hard. They are fighting well. They are not cracking under pressure. And they are making a tremendous contribution."

The ISF, which now numbers more than 214,000, continues to develop despite an insurgency actively attempting to disrupt the forces' development, destroy their infrastructure and equipment and intimidate recruits. Iraqis are taking on more of the fight, both in combat missions and follow-on operations, including bringing supplies, medical help and other services to return affected communities to normalcy.

Specific examples of Iraqi Ministry of Defence and Ministry of Interior forces progressing in their ability to take ownership of Iraqi security including the following.

Iraqi units are increasingly able to take the lead in combat operations against the insurgency. Ninety-seven Iraqi army and special operations battalions are conducting combat operations against the enemy. Of the 97 operational army and special operations units, 38 have the security lead, with multinational force support, or are fully independent. There are also 28 special police force battalions capable of combat operations.

The Iraqi security forces are assuming more battle space and preparing to assume command and control responsibilities at the division level. In June 2004, no Iraqi security force unit controlled territory. At present, Iraqi forces are responsible for security in Najaf, Karbala and much of Baghdad province. Other Iraqi battalions and brigades control hundreds of square miles of territory in other provinces with multinational force support and assistance. In September 2005, 11 Iraqi battalions participated in operations in Tal Afar, controlling their own battle space and outnumbering multinational forces for the first time in a major offensive operation. Over the last six months, the number of patrols being conducted independently by Iraqi forces has doubled, bringing the overall percentage to nearly a quarter of all patrols in theatre.

The number of operational units and individuals trained, equipped and formed has increased. More than 102,000 Ministry of Defence soldiers, sailors and airmen have been trained and equipped. In addition, 75,000 police and highway patrol officers have been trained and equipped. They work alongside 37,000 other Ministry of Interior forces for a total of approximately 112,000. Overall, that represents an approximate 12 per cent increase in Ministry of Defence and Ministry of Interior forces trained and equipped for counterinsurgency operations in the last five months.

However, while acknowledging all of that success, we must also acknowledge that the Iraqi forces are not yet ready to conduct independent operations unilaterally without the multinational force's assistance. The multinational force stands ready to continue to provide that assistance.

The distinct entities of the multinational force — notably the Georgians, Romanians and South Koreans — continue to provide security for the United Nations in Baghdad, Basra and Erbil, respectively. They provide static site security, reconnaissance, security patrols, convoy escorts, checkpoints, and, where necessary, MEDEVAC and emergency evacuation.

The United Nations contributions, most notably preparations for tomorrow's election, are vital. We urge the United Nations to continue to fulfil its mandate as per resolution 1546 (2004). Considerable work, including humanitarian and reconstruction assistance, remains to be done, and expansion is necessary for the United Nations Assistance Mission For Iraq (UNAMI) to do that work and fulfil its mandate. We are pleased, as Under-Secretary-General Gambari just said, to have signed last week a memorandum of understanding between the United States and the United Nations to codify the security arrangements for UNAMI currently in place.

Even with the progress I have outlined today, the multinational force and its Iraqi partners continue to face multiple challenges in the security sphere. Those include countering the intimidation and brutality of enemies who are not constrained by law or moral norms; building representative Iraqi security forces and institutions whose first loyalties are to the Iraqi Government; neutralizing the actions of such countries as Syria and Iran, which provide comfort and support to terrorists and the enemies of democracy in Iraq; understanding the composition of and relationships between terrorist and other enemy networks; addressing the militias and armed groups that are outside the formal security sector and central Government command; ensuring that the security ministries have the capacity to sustain Iraq's new army and police forces; and integrating political, economic and security tools — and synchronizing them with Iraqi Government efforts — to foster good and transparent governance, the rule of law, respect for human rights and the well-being of all Iraqi citizens.

The multinational force is serving its mandate and working with the Iraqi Government to build security and stability in Iraq. The force is helping the Iraqis develop police forces and combat units, as well as the elements necessary to manage, control and sustain them. It is moving towards fulfilling its mandate and it looks forward to the day when the Iraqis are able to assume full responsibility for the maintenance of security and stability in Iraq.

Lastly, I know I speak for all members of the multinational force and the Council in wishing Iraq a safe and successful election tomorrow. It is important that Iraq's election be transparent and inclusive. We urge all Iraqis to participate in the election to make their views known regarding the future of Iraq. We welcome the efforts of the Iraqis, the United Nations and other members of the international community that are enabling Iraqi citizens to participate in their political process.

The President: I now invite the representative of Iraq to take the floor.

Mr. Sumaida'ie (Iraq) (*spoke in Arabic*): We wish to thank you, Sir, for convening this meeting and for providing the delegation of Iraq with the opportunity to speak before the Council at a moment that marks a turning point in the modern history of my country.

Allow me to express first the appreciation of the Government of Iraq for the role played by the United Nations in my country in providing humanitarian assistance and development and reconstruction support and in helping to make the political process a success. I extend special thanks to Mr. Ashraf Qazi and the United Nations Assistance Mission for Iraq for their tireless efforts to that end, particularly their facilitation of consultations during the drafting of the constitution and the preparation of the electoral law. We also appreciate their contribution in the political arena in bringing together the different viewpoints of the various political forces in Iraq.

However, those successes do not mitigate the fact that the United Nations presence in Iraq remains inadequate. We seek an increase of United Nations personnel in order to facilitate communications with State institutions and civil society organizations and with the functions and programmes of United Nations agencies in Iraq.

Developments in the Iraqi political process are clearly proceeding on schedule, in accordance with paragraph 4 of Security Council resolution 1546 (2004). The constitutional referendum took place as scheduled on 15 October 2005. Tomorrow, all Iraqis will go to the polls to elect their representatives in the National Assembly. Recent achievements, particularly in the constitutional and political areas, would have been impossible without the great sacrifices made by the Iraqi people and the multinational forces that are helping the Government and the people to achieve political change. They would also have been impossible without the help of the United Nations.

We continue to face great challenges that will demand even more sacrifice and assistance. In the meanwhile, the terrorists have stepped up their violence and destruction, targeting the infrastructure and innocent people. They have sought to sow confusion and to incite civil war in order to block the political process leading to the emergence of an Iraq based on the new principles of democracy, multilateralism and federalism and in which power is exercised peacefully.

Following the most recent elections, the formation of the provisional Government, the drafting of the constitution and the creation of the presidential Government and Assembly institutions, it has become clear that the provisional Government should include

representatives from all walks of Iraqi life, including from parties that did not participate in the elections. We were largely successful, and we followed the same pattern in expanding the committee in charge of drafting the constitution, at which we were equally successful.

Our political approach seems more inclusive now. Following the Cairo Conference of 19 to 21 November, we will be able to absorb more parties, as long as they reject violence and declare their commitment to peaceful participation in the political process and governance.

By 15 December the first phase of the political process will have been completed, and a new process will start in Iraq, based on the principles adopted during the first phase with the adoption of the new Constitution, which had social, economic and political effects at the national and international levels. In the future, as it builds democracy and good governance and engages in reconstruction, Iraq will face the major challenge of terrorism, which is supported by organized crime. Iraq will have to defeat and completely eliminate terrorism. That cannot be achieved without the support of the international community, particularly the countries neighbouring Iraq.

Iraq is exposed daily to all kinds of indiscriminate acts of terrorism, which target people from all walks of life, including civilians, especially children, women and the elderly. Hospitals, places where travellers gather, markets, schools and mosques are attacked. All of those acts are carried out by people under the banner of false religious and nationalistic slogans. The whole purpose of such terrorist acts is to halt the process of the democratic change in Iraq, to return the country to the era of darkness and underdevelopment and to destroy the free, creative will of the people.

Iraq is committed to standing against terrorism. That commitment stems from the principles of tolerant Islam, true nationalism, humanity and freedom. Stability and progress cannot be achieved in Iraq without the elimination of terrorism. The Iraqi armed forces and the national police bear the main responsibility in standing against terrorism. The Iraqi security forces will be assisted by the multilateral force until they are capable of acting alone. That is why we are requesting an extension of the mandate of the multinational force.

In addition to combating terrorism, the main task faced by the Iraqi Government is reconstruction. The Government is making many efforts in this regard, and still greater efforts will be made by the new Government following the elections, particularly with respect to revitalizing the economy, rebuilding infrastructure and providing basic services for our citizens.

The Council is aware that Iraq's resources are limited at present. It is also aware of the level of economic, social and humanitarian destruction inherited from the collapsed regime of Saddam Hussein. The terrorist and criminal acts being perpetrated by the forces of darkness are blocking the economic rebirth of Iraq, which is therefore in dire need of international support. The international community has demonstrated its commitment, as shown at the Madrid donor conference and confirmed at the Brussels and Amman conferences. We believe that it is high time to speed up the implementation of those commitments in order to accelerate the domestic economic process, without squandering our resources on side issues. We want to break the cycle of violence and achieve stability.

The question of human rights violations in Iraq has recently been raised. Of course, we must stand courageously against that phenomenon. Yet we must put this in its proper context. What happened involves only a few individual cases, and does not represent systematic behaviour on the part of the Iraqi forces. It does not reflect the policy of the Government. The current leaders of Iraq were victims of gross violations of human rights under the previous regime, and the response of the Iraqi Government has been swift. The Government has established a commission to investigate the violations. Furthermore, the Iraqi Government has expressed its desire for international support with a view to developing its institutions in accordance with internationally accepted regulations and norms in the area of human rights and with a view to protecting those rights. It is cause for hope that Iraqi non-governmental organizations were the first to refer to those violations, which indicates those organizations' vitality in the field of human rights and reflects the democratic practices of the Iraqi people.

Iraq is now entering a new phase. It has adopted a permanent Constitution, based on democratic principles, that prohibits any activities aimed at producing or acquiring weapons of mass destruction. It

is high time for the Security Council to close its disarmament file on the previous regime. We must close the United Nations Monitoring, Verification and Inspection Commission file, which is not acceptable on any pretext. The new Iraq is looking for a new and clear position on the part of the Security Council that takes into consideration the resounding fact that the Iraq of today is not the Iraq of Saddam Hussein.

Every day, Iraqis are writing, in their own blood, the story of their heroism and steadfastness. That story will be a source of inspiration for the whole world — a shining beacon of hope in the march towards freedom. I have just returned from Baghdad, where there is a conflict between, on the one hand, terrorists and criminals who were nurtured by the first regime, as well as their counterparts from outside Iraq — and there are very few of them — and, on the other, the dreams of millions of brave children, men and women who face death without hesitation. Tomorrow, the whole world will hear the voice of hope sound loud and clear. Tomorrow, terrorism will finally be judged a failure.

The President: The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 4.10 p.m.